



January 17, 2019

Dear Committee Members,

I am introducing an amendment for consideration at our January 29th Bail and Conditions of Pretrial Release Study Committee meeting. The core function of this amendment is to substantially reduce Wisconsin's use of cash bail, a change to accompany the proposed changes to the pretrial detention system included in our scheduled debate.

This concept is not new to our committee. We spent the majority of our November meeting debating two different proposals to change the pretrial detention system. Also on the agenda that day was LRB-0507/2, a draft proposal to mirror the cash bail system of Washington D.C. A link to that proposal is here:

[https://docs.legis.wisconsin.gov/misc/lc/study/2018/1783/040\\_november\\_13\\_2018\\_meeting\\_10\\_00\\_a\\_m\\_lc\\_large\\_conference\\_room/lrb0507\\_p2](https://docs.legis.wisconsin.gov/misc/lc/study/2018/1783/040_november_13_2018_meeting_10_00_a_m_lc_large_conference_room/lrb0507_p2)

This system was presented to our committee by Mr. Spurgeon Kennedy on October 16th. The proposal does not entirely eliminate the cash bail system, but puts in place a timely review process that requires courts to re-examine the imposition of cash bail when the defendant remains incarcerated due to his or her inability to pay.

I have repeatedly argued that our policy discussions include two sides of a grand bargain. One is to modify pretrial detention so that the highest risk individuals can be held without bail. The other side of that bargain is the elimination of or the substantial reduction of the use of cash bail. This amendment seeks to add that to our pretrial detention bill draft.

I hope we can have a spirited debate on January 29th. I will advocate for my amendment and in full transparency, I will not support (in committee nor in my legislative capacity) a bill draft that only addresses pretrial detention. That change alone is only half of the bargain and a policy I cannot support.

I believe that our in-depth debates on pretrial detention in November and again in December prevented the necessary debate over cash bail. I hope we can address this in-depth and ask that you consider this amendment to make our efforts on pretrial system reform more complete.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Evan Goyke", with a long, sweeping underline.

State Representative Evan Goyke  
18<sup>th</sup> Assembly District